



a. the Second Cause of Action for violation of the Texas Securities Act article 581-33F(1) against all Defendants;

b. the Third Cause of Action for violation of the Texas Securities Act article 581-33F(2) against all Defendants; and

c. the Fifth Cause of Action for common-law negligence against Defendants Tremont Opportunity Fund III, L.P., Tremont International Insurance Fund, L.P., Tremont Partners, Inc., Rye Investment Management, and Tremont Group Holdings, Inc.

2. Accordingly, pursuant to Fed. R. Civ. P. 41(a)(2), Plaintiff dismisses all claims against Defendants Massachusetts Mutual Life Insurance Company, MassMutual Holding LLC and Oppenheimer Acquisition Corp. with prejudice and with each party bearing its own fees, costs and expenses.

3. All other claims asserted in Plaintiff's First Amended Complaint shall remain pending. Defendants Tremont Opportunity Fund III, L.P., Tremont International Insurance Fund, L.P., Tremont Partners, Inc., Rye Investment Management, and Tremont Group Holdings, Inc.'s Motions to Dismiss shall also remain pending, and the deadline for those Defendants to file any reply brief in support of their Motions to Dismiss shall be filed no later than twenty (20) days after Plaintiff files any memorandum in opposition as set forth in the Parties' stipulation ordered by the Court on February 3, 2012 (Dkt. Entry 666 in 08 Civ. 11117).

Dated: March 15, 2012.

Respectfully submitted,

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By: /s/ Ralph C. Perry-Miller

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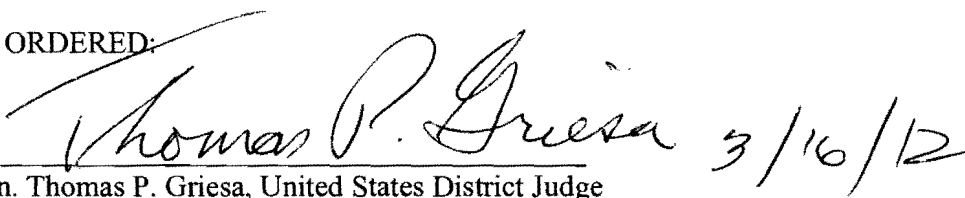
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SO ORDERED:

 3/16/12

Hon. Thomas P. Griesa, United States District Judge

**CERTIFICATE OF SERVICE**

I, the undersigned, do hereby certify that I have this 15th day of March, 2012, electronically filed a copy of the foregoing with the Clerk of the Court to be served by operation of the Court's electronic filing system upon the parties of record.

/s/ Ralph C. Perry-Miller

RALPH C. PERRY-MILLER